

ORDINANCE NO. _____, SERIES 2009

AN ORDINANCE AMENDING LOUISVILLE METRO CODE OF ORDINANCES (LMCO) 32.730 RELATING TO THE CRIMINAL JUSTICE COMMISSION (AS AMENDED).

SPONSORED BY: Councilwoman Vicki Aubrey Welch

BE IT ORDAINED BY THE LEGISLATIVE COUNCIL OF THE LOUISVILLE/JEFFERSON COUNTY METRO GOVERNMENT (THE COUNCIL) AS FOLLOWS:

SECTION I. Chapter 32.730 of the LMCO is hereby amended to read as follows:

(A) (1) The Louisville Metro Criminal Justice Commission shall be composed of 27 ~~30~~ members. The membership of the Commission shall include the following who shall serve by virtue of office or position or their designated representative:

Mayor of Louisville/Jefferson County Metro Government ~~or designee~~.

Cabinet Secretary, Cabinet for Public Protection.

Chief, Louisville Metro ~~of Police Department for Metro Government or designee~~.

Director, Louisville Metro Corrections Department.

Chief Judge, Jefferson Circuit Court ~~or designee~~.

Chief Judge, Jefferson District Court ~~or designee~~.

Chief Judge, Jefferson Family Court ~~or designee~~.

Jefferson County Commonwealth's Attorney ~~or designee~~.

Jefferson County Attorney ~~or designee~~.

Director, ~~Office of~~ Kentucky Probation and Parole ~~for 30th Judicial District~~.

Director, Office of Pre-Trial Services for Jefferson County.

Chief Public Defender/Executive Director, Louisville/Jefferson County Public Defender Corporation.

Executive Director, Louisville Bar Association

Chair, Metro Research Institute

President of Metro Council ~~or designee~~.

Director, Louisville Metro Youth Detention Services.

Chairperson, Jefferson County Legislative Delegation ~~or designee~~.

Director, Mental Health Association.

Jefferson Circuit Court Clerk ~~or designee~~.

Jefferson County Sheriff ~~or designee~~.

Jefferson Trial Courts Chief Court Administrator.

(2) The following, by virtue of office, shall be non-voting ex officio members:

Alcohol, Tobacco and Firearms, U.S. Department of Treasury, ~~Resident~~ Special Agent in Charge ~~or designee~~.

Drug Enforcement Administration, U.S. Department of Justice, ~~Resident~~ Special Agent in Charge ~~or designee~~.

Federal Bureau of Investigation, U.S. Department of Justice, Special Agent in Charge ~~or designee~~.

~~United States Attorney for the Western District of Kentucky or designee.~~

(23) In addition, the Mayor shall appoint six citizen members to the Commission, subject to the approval of the Metro Council. The citizen membership shall include three (3) members representing the community at large and three (3) members representing disciplines and/or constituency groups impacted by criminal justice operations, including but not limited to providers or organizations addressing substance abuse treatment, homelessness, and victim advocacy.

(34) The Mayor shall appoint one additional member of the Commission who shall serve as Chairperson.

(45) All appointees shall be residents of ~~the County~~ Louisville Metro. The citizen appointees shall represent a geographical cross-section of the community.

(56) All appointed members of the Commission currently serving shall continue to serve until their original term of office expires. The term of each subsequent appointment shall be two years. The terms of officials serving by virtue of their office shall expire when they are no longer serving in that official capacity. Citizen members shall be appointed to serve two year terms, not to exceed two consecutive terms.

(67) Should a vacancy arise, the Mayor shall appoint a new member to serve the unexpired term and that new member shall be appointed in the same fashion and shall possess the same qualifications required under this section as the member whose office is vacant.

(B) The Commission shall organize itself and adopt regulations and rules of procedure not inconsistent with this agreement or other laws, ordinances, or resolutions of the Metro Government or the state. The Commission shall cause its proceedings to be recorded and preserved, and shall, from time to time, but not less than once each calendar year, render a report of its activities to the community.

(C) The Commission shall have the power to solicit, accept, receive and administer funds from the United States Government, and state government or its agencies, or any private or public source whatsoever, to carry out its programs, duties and purposes under this section.

(D) A quorum for the transaction of business of the Commission shall consist of a majority of the official members. Formal action by the Commission shall be by affirmative vote of a simple majority at a meeting at which a quorum is present, and for which reasonable notice was given pursuant to rules of procedure adopted by the Commission.

(E) The general purpose and function of the Commission shall include, but not be limited to, the following specific purposes and functions:

(1) To collect and analyze data on the incidence and nature of crime in this community and assess the impact of criminal activities upon the citizens and resources of the community.

(2) To evaluate the capacity of criminal justice and public safety agencies through a careful study of existing laws, practices, and institutions, to recognize their areas of strength and weakness, and to formulate proposals to maintain the former and correct the latter.

(3) To make and publish, from time to time, meaningful, documented, factual recommendations as will be of assistance to all levels and branches of government in meeting its responsibilities in the area of criminal justice, public safety and crime prevention.

(4) To responsibly stimulate community interest in the problems of criminal justice, public safety and crime prevention.

(5) To develop and recommend to the proper criminal justice and public safety authorities programs to enhance public safety, and, when possible, to secure and administer state or federal funds for specific projects.

(6) To recognize the authority and responsibility of criminal justice and public safety agencies as the proper areas of administration.

(F) The Commission shall meet as often as it deems necessary, but it shall not meet less than six times each year. All meetings shall be open to the public.

(G) The Metro Government shall continue to assume full funding responsibility, administrative responsibility, and fiscal control for the Commission.

(H) The Louisville Metro Criminal Justice Commission is hereby directed to take whatever action, if any, may be necessary to implement this section.

SECTION II: This Ordinance shall take effect upon its passage and approval.

Kathleen J. Herron
Metro Council Clerk

David W. Tandy
President of the Council

Jerry E. Abramson
Mayor

Approval Date

APPROVED AS TO FORM AND LEGALITY:

Michael J. O'Connell
Jefferson County Attorney

BY: _____